

3743 ***/

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Patent Application Of: CERTIFICATE OF MAILING Yves Delmotte I hereby certify that this paper is being deposited **BIOPOLYMER MEMBRANE** For: with the United States Postal Office with sufficient AND ITS PREPARATION postage as first class mail in an envelope addressed to: BOX/DD, Constitutioner for Patents, 10/24 Washington, D.Q Serial No.: 10/004,257 2002. Filed: October 26, 2001 Examiner: Not yet assigned Art Unit: 3763 Conf. No.: 3743

INFORMATION DISCLOSURE STATEMENT

RECEIVED

TECHNOLOGY CENTER R3700

RECEIVED

OCT 3 1 2002

Sir:

BOX DD

Commissioner for Patents

Washington D.C., 20231

TECHNOLOGY CENTER R3700

Pursuant to 37 C.F.R. 1.97, a list of documents is disclosed on the attached form PTO—1449 that may be material to the examination of this application. A copy of each of the documents is enclosed herewith for the Examiner's consideration. No inference should be drawn that the attached list represents a comprehensive investigation of the prior art; that any or all are pertinent to the invention; or that any apparatus disclosed is equivalent to the subject invention.

Applicant respectfully informs the Examiner that this Information Disclosure Statement, along with copies of all cited documents, was originally mailed to the U.S. Patent Office on February 22, 2002 and received on March 4, 2002 (see copy of Return Receipt Postcard attached). However, due to an error in the serial number noted on the original Information Disclosure Statement, the Disclosure Statement was not entered into this application. Therefore, Applicant is submitting herewith a copy of the Disclosure Statement and references originally mailed on February 22, 2002.

As the originally submitted Disclosure Statement was filed before the mailing date of a first Office Action, and this Disclosure Statement is also being filed before the mailing date of a first Office Action, no fee is necessary.

Atty Dkt. No: WM-267.00

BBL No.: 113961-017

- 2 -

PATENT Serial No. 10/004,257

The identified patents and documents do not suggest or make obvious the claimed invention. Hence, allowance of the pending application is respectfully requested.

Respectfully submitted,

BELL, BOYD & LLOYD LLC

Date: Oct. 24, 2002

BY

Sanjay K. Murthy, Reg. No. 45,976

P.O. Box 1135

Chicago, Illinois 60690-1135

Phone: (312) 807-4263



113961-017

Attorney Docket No. 1417S P605

(Baxter International)

Inventor: Yves Delmotte Application No. 10/002,457 Date Filed: 10/002,457

Date Mailed: February 22, 2002

Title: "Biopolymer Membrane and Methods for Its Preparation"

Non-publication requested: No

Enclosures:

- 1. Transmittal of Information disclosure Statement w/in 3 months of filing or before Mailing of First Office Action (37 C.F.R.§ 1.97(b))
- 2. PTO-1449 Form (10 pages)
- 3. 89 U.S. Patents; 31 Foreign Patents; 30 "other documents"
- 2. Postcard: Return receipt requested

SRA/cjw/141470.1



RECEIVED OCT 3 1 2002

TECHNOLOGY CENTER R3700

RECEIVED TECHNOLOGY CENTER R3700

Use several sheets if necessary)

PTO Form 1449

Atty Docket No. WM-267.00 Application No. 10/004,257

Applicant

Yves Delmotte

Filing Date

Group

10/26/2001 3763

			PATENT DOCUMENT	<u>S</u>		
Examiner's Initials	Document Number	Publication Date	Inventor	Class	Subclass	Filing Date If Appropriate
	2,533,004	12/05/1950	Ferry et al.	260	112	
	2,576,006	11/20/1951	Ferry et al.	154	83	
	3,523,807	08/11/1970	Gerendas	106	124	
	3,641,240	02/08/1972	Hymes et al.	424	78	
	3,723,244	03/27/1973	Breillatt, Jr.	162	151	
	4,016,877	04/12/1977	Cruz, Jr. et al.	128	156	
	4,066,083	01/03/1978	Ries	128	325	ECEIVED
	4,116,898	09/26/1978	Dudley et al.	260	17.4 R	LOLIVED
	4,148,664	04/10/1979	Cruz, Jr.	106	161	OCT 2 9 2002
	4,225,580	09/30/1980	Rothman et al.	424	78ECH	NOLOGY CENTER R3700
	4,238,480	12/09/1980	Sawyer	424	177	10 20 31 0211 211 110700
	4,359,049	11/16/1982	Redl et al.	128	218	
	4,442,655	04/17/1984	Stroetmann	53	428	
	4,505,817	03/19/1985	Blomback et al.	210	484	
	4,505,822	03/19/1985	Blomback et al.	210	635	RECEIVED
	4,537,767	08/27/1985	Rothman et al.	424	78	OCT 3 1 2002
	4,548,736	10/22/1985	Müller et al.	252	315.1	
	4,578,067	03/25/1986	Cruz, Jr.	604	368 T	CHNOLOGY CENTER R37
	4,587,018	05/06/1986	Blomback et al.	210	484	
	4,600,533	07/15/1986	Chu	530	356	
	4,600,574	07/15/1986	Lindner et al.	424	28	
	4,606,337	08/19/1986	Zimmerman et al.	128	156	
	4,621,631	11/11/1986	Pâques et al.	128	156	
	4,631,055	12/23/1986	Redl et al.	604	82	
	4,640,778	02/03/1987	Blomback et al.	210	484	
	4,655,980	04/07/1987	Chu	264	102	
	4,675,361	06/23/1987	Ward, Jr.	525	92	
	4,683,142	07/28/1987	Zimmerman et al.	427	2	

(Use several sheets if necessary)

PTO Form 1449

Atty Docket No. WM-267.00 Application No. 10/004,257

Applicant

Yves Delmotte

Filing Date

Group

10/26/2001

3763

THAUENARY		U.S.	PATENT DOCUMENTS				
Examiner's Initials	Document Number	Publication Date	Inventor	Class	Subclass	Filing Date If Appropriate	
	4,689,399	08/25/1987	Chu	530	356		
	4,690,684	09/01/1987	McGreevy et al.	623	12		
	4,704,131	11/03/1987	Noishiki et al.	623	66		
	4,720,512	01/19/1988	Hu et al.	523	112		
	4,725,671	02/16/1988	Chu et al.	530	356		
	4,760,131	07/26/1988	Sundsmo et al.	530	356		
	4,786,556	11/22/1988	Hu et al.	428	412		
	4,833,200	05/23/1989	Noishiki et al.	525	54RE	CEIVE	
	4,837,285	06/06/1989	Berg et al.	530	330	1	
	4,872,867	10/10/1989	Joh	604	269 00	T 2 9 2002	
	4,874,368	10/17/1989	Miller et al.	604	TESHNO	OGY CENTER	R3700
	4,882,148	11/21/1989	Pinchuk	424	423		
	4,909,251	03/20/1990	Seelich	606	213		
	4,911,926	03/27/1990	Henry et al.	424	426	REC	EIVED
	4,932,942	06/12/1990	Maslanka	604	164		1 2002
	4,948,540	08/14/1990	Nigam	264	28	0013	1 2002
	4,978,336	12/18/1990	Capozzi et al.	604	82	TECHNOLOGY	CENTER R370
	5,019,393	05/28/1991	Ito et al.	424	423		
	5,049;393	09/17/1991	Noon et al.	424	484		
	5,053,048	10/01/1991	Pinchuk	623	1		
	5,071,644	12/10/1991	Viegas et al.	514	772.7		
	5,080,893	01/14/1992	Goldberg et al.	514	57		
	5,112,615	05/12/1992	Ito et al.	424	426		
	5,126,140	06/30/1992	Ito et al.	424	423		
	5,140,016	08/18/1992	Goldberg et al.	514	57		
	5,153,003	10/06/1992	Kurihara et al.	424	487		
	5,156,613	10/20/1992	Sawyer	606	213_		
	5,167,960	12/01/1992	Ito et al.	424	423		

Ise several sheets if necessary)

PTO Form 1449

	Atty Docket No. WM-267.00	Application No. 10/004,257	_
	Applicant Yves Delmotte		
•	Filing Date	Group	_

3763

10/26/2001

		U.S.	PATENT DOCUMENTS				
Examiner's Initials	Document Number	Publication Date	Inventor	Class	Subclass	Filing Date If Appropriate	
	5,182,317	01/26/1993	Winters et al.	523	112		
	5,201,745	04/13/1993	Tayot et al.	606	151		
	5,209,776	05/11/1993	Bass et al.	106	124		
	5,213,580	05/25/1993	Slepian et al.	623	1		
	5,223,420	06/29/1993	Rabaud et al.	424	425		
	5,244,799	09/14/1993	Anderson	435	240		_
	5,260,420	11/09/1993	Burnouf-Radosevich et al.	530	382	RECEIVE)
	5,278,200	01/11/1994	Coury et al.	523	112	OCT 2 9 2002	
	5,292,362	03/08/1994	Bass et al.	106	124 TE		
	5,324,647	06/28/1994	Rubens et al.	435	180	CHNOLOGY CENTER R3	700
	5,364,622	11/15/1994	Franz et al.	424	94.64		
	5,368,563	11/29/1994	Lonneman et al.	604	82		
	5,376,376	12/27/1994	Li	424	443	DEOF!\	
	5,376,692	12/27/1994	Park et al.	522	87	RECEIVED)
	5,395,923	03/07/1995	Bui-Khac et al.	530	381	OCT 3 1 2002	
	5,412,076	05/02/1995	Gagnieu	530	356 TI	CHNOLOGY CENTER R	3706
	5,418,222	05/23/1995	Song et al.	514	21	Townsed OLIVIER RS	3700
	5,447,724	09/05/1995	Helmus et al.	424	426		
	5,455,040	10/03/1995	Marchant	424	426		
	5,486,357	01/23/1996	Narayanan	424	78.17		
	5,521,280	05/28/1996	Reilly et al.	528	370		
	5,525,348	06/11/1996	Whitbourne et al.	424	423		
	5,541,167	07/30/1996	Hsu et al.	514	56		
	5,541,305	07/30/1996	Yokota et al.	536	21		
	5,567,806	10/22/1996	Abdul-Malak et al.	530	356		
	5,578,073	11/26/1996	Haimovich et al.	623	1		
	5,580,923	12/03/1996	Yeung et al.	525	54.1		
	5,989,215	11/23/1999	Delmotte et al.	604	82		

Jse several sheets if necessary)

PTO Form 1449

Atty Docket No. WM-267.00 Application No.

RECEIVED

Applicant

Yves Delmotte

OCT 3 1 2002

Filing Date

10/26/2001

Group

TECHNOLOGY CENTER R3700

3763

		U.S.	PATENT DOCUMENT	<u>s</u>		1
Examiner's Initials	Document Number	Publication Date	Inventor	Class	Subclass	Filing Date If Appropriate
	6,056,970	05/02/2000	Greenawalt et al.	424	426	
	6,074,663	06/13/2000	Delmotte et al.	424	443	
	6,162,241	12/19/2000	Coury et al.	606	214	
	6,210,667 B 1	04/03/2001	Reed	424	94.64	RECEI
	6,262,236 B1	07/17/2001	Edwardson et al.	530	382	
	6,262,255 B1	07/17/2001	Mares-Guia	536	53,00	NOLOGY CEN

]	FOREIGN PATEN	T DOCUMEN	TS			
Examiner's Initials	Document Number	Publication Date	Country	Class	Subclass	Trans:	lation No
	0 068 149 A2	5 Jan 1983	EPO	A61L	15/04		Х
	0 085 166 Al	10 Aug 1983	EPO	B01D	13/04	X	
	0 103 290 A2	21 Mar 1984	EPO	A61K	31/765		Х
	0 166 263 A1	2 Jan 1986	EPO	A61L	27/00	X	
	0 187 894 A1	23 July 1986	EPO	B01J	35/00	X	
	0 213 563 B1	11 Mar 1987	EPO	A61L	31/00	X	
	0 262 890 A2	6 Apr 1988	EPO	A61L	31/00	X	
	0 262 890 A3	16 Aug 1989	EPO	A61L	31/00	X	
	0 369 764 A2	23 May 1990	EPO	A61K	31/765	X	
	0 369 764 A3	28 Aug 1991	EPO	A61K	31/765	X	
	0 372 969 Al	13 June 1990	EPO	A61L	31/00	X_	
	0 479 615 A1	8 Apr 1992	EPO	A61K	37/54	X	
	0 485 210 A2	13 May 1992	EPO	A61L	27/00	X	
	0 534 178 A2	31 Mar 1993	EPO	A61L	25/00	X	
	0 485 210 A3	21 Apr 1993	EPO	A61L	27/00	X	
	0 534 178 A3	16 Jun 1993	EPO	A61L	25/00	X	
	0 562 864 A1	29 Sept 1993	EPO	A61L	15/64	X	
	0 592 242 A1	13 Apr 1994	EPO	A61L	25/00	X	
	0 611 571 A1	16 Feb 1994	EPO	A61K	37/02		X

Use several sheets if necessary)

PTO Form 1449

Atty Docket No. WM-267.00 Application No.

3763

Applicant Yves Delmotte

OCT 3 1 2002

Filing Date

10/26/2001

Group

TECHNOLOGY CENTER R3700

		FOREIGN PATEN	<u>r documen</u>	TS		·	
Examiner's						Trans	lation
Initials	Document Number	Publication Date	Country	Class	Subclass	Yes	No
	DE 38 41 397 C2	12 Nov 1992	Germany	A61K	47/34		X
	2 448 900	31 Jan 1980	France	A61K	35/16		X
	WO 89/02445 Al	23 Mar 1989	PCT	C08B	37/08	X	
	WO 91/01711 'A1	21 Feb 1991	PCT	A61J	1/00	X	
	WO 91/19519 A1	26 Dec 1991	PCT	A61L	25/00		X
	WO 92/15341-A1	17 Sept 1992	PCT	A61L	25/00		X
	WO 93/19805 Al	14 Oct 1993	PCT	A61M	31/00	X	
	WO 92/22312 A1	23 Dec 1992	PCT	A61K	37/02	X	
	WO 93/21971 Al	11 Nov 1993	PCT	A61L	33/00	X	
	WO 94/02182 A1	3 Feb 1994	PCT	A61L	25/00	X	
	WO 94/22503 Al	13 Oct 1994	PCT	A61L	25/00	X	
	WO 96/17638·A1	13 June 1996	PCT	A61M	5/30	X	
	WO 96/22115 A1	25 July 1996	PCT	A61L	31/00	PPC	
	WO 96/39212 A2	12 Dec 1996	PCT	A61M	5/19	X	
	WO 00/25838 Al	11 May 2000	PCT	A61L	27/00	OCT	2 9

TECHNOLOGY CENTER R3700

Examiner's Initials	OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)
	Bailey et al., "Fibrin Films in Neurosurgery, With Special Reference to Their Use in the Repair of Dural Defects and in the Prevention of Meningocerebral Adhesions", Harvard Medical School, February 17, 1944, Paper No. 27, pp. 597-600
	Blomback et al., "Fibrin Gels and Their Possible Implication for Surface Hemorheology in Health and Disease", <u>Annals of the New York Academy of Sciences</u> , 1983, pp. 397-409.
	Brand, W. et al., "Die Anwendung des Fibrinklebers zur Prophylaxe and Therapie intraabdomineller Adhasionen", <u>Der Chirurg</u> , Spring 1990, Vol. 61, pp. 22-26.
	Chmielewski, et al. "Fibrin Gel Limits Intra-Abdominal Adhesion Formation", <u>The American Surgeon</u> , Sept. 1992, Vol. 58, No. 9, pp. 590-593
	Connolly et al., "The Prevention and Treatment of Intestinal Adhesions", <u>International Abstracts of Surgery</u> , May 1960, Vol. 110, No. 5, pp. 417-428.

se several sheets if necessary)

PTO Form 1449

Atty Docket No. WM-267.00 Application No. 10/004,257

Applicant

Yves Delmotte

Filing Date 10/26/2001 Group

RECEIVED

OCT 2 9 2002

3763 ECHNOLOGY CENTER R3700

MADEIN	
Examiner's Initials	OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)
	Copley et al., "The Binding of Human Fibrinogen to Native and Fraction Fibrins and the Inhibition of Polymerization of a New Human Fibrin Monomer by Fibrinogen", <u>Life Sciences</u> , 1964, Vol. 3, No. 11, pp. 1293-1305.
	Cronkite et al., "Use of Thrombin and Fibrinogen in Skin Grafting", <u>Journal of the Americal Medical Association</u> , April 1, 1944, Vol. 124, No. 14, pp. 976-978
	De Iaco et al., "Fibrin Sealant in Laparoscopic Adhesion Prevention in the Rabbit Uterine Horn Model", Fertility and Sterility, August 1994, Vol. 62, No. 2, pp. 400-404.
	de Virgilio et al., "Fibrin Glue Inhibits Intra-abdominal Adhesion Formation", <u>Archives of Surgery</u> , October 1990, Vol. 125, pp. 1378-1382.
	Feldman et al., "Tissue Adhesives in Wound Healing", Dept. of Biomedical Engineering, University of Alabama, May 1994., pp. 1-40.
	Ferry et al., "Fibrin Clots, Fibrin Films, and Fibrinogen Plastics", Harvard Medical School, February 17, 1944, Paper No. 22, pp. 566-572
	Ferry et al., "Preparation and Properties of Serum and Plasma Proteins: IX) Human Fibrin in the Form of an Elastic Film", Harvard Medical School, February, 1947, Paper No. 48, Vol. 69, pp. 400-409
	Fujita et al., "Prevention of Surgical Adhesions Using Aerosoled Biodegradable Polyesters", 20 th Annual Meeting of the Society for Biomaterials, April 1994 (1 pg.).
	Gabbay, S., "The Need for Intensive Study of Pericardial Substitution After Open Heart Surgery", <u>Trans-American Society of Artificial Internal Organs</u> , 1990, Vol. 36, pp. 789-791.
	Gauwerky et al., "The Effect of Fibrin Glue and Peritoneal Grafts in the Prevention of Intrapertioneal Adhensions", <u>Archives of Gynecology and Obstetrics</u> , Spring 1990, Vol. 247, pp. 161-166.
	Giovanettoni, L., The Tisseel Method, History Background Application Techniques and Indication of 'Fibrin Sealing' in Modern Surgery, Chapts 6-7, Immuno, January 1985, pp. 2-70.
	Grey, E., "Fibrin as a Haemostatic In Cerebral Surgery", Surgery, Gynecology and Obstetrics, pp. 452-454
	Haney et al., "Expanded-polytetrafluoroethylene But Not Oxidized Regenerated Cellulose Prevents Adhesion Formation and Reformation in a Mouse Uterine Horn Model of Surgical Injury", Fertility and Sterility, September 1993, Vol. 60, No. 3, pp. 550-558.

RECEIVED

OCT 3 1 2002

Jse several sheets if necessary)

PTO Form 1449

Atty Docket No. WM-267.00

Applicant

Yves Delmotte

Filing Date 10/26/2001 Group TECHNOLOGY CENTER R3700

Examiner's Initials		OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)
		Harvey, S.C., "The Use of Fibrin Paper and Forms in Surgery", Boston Medical & Surgical Journal, May 4, 1916, Vol. CLXXIV, No. 1S, pp. 658-659
	-	Hill-West et al., "Prevention of Postoperative Adhesions in the Rat by In Situ Photopolymerization of Bioresorbable Hydrogel Barriers", Obstetrics and Gynecology, January 1994, Vol. 83, No. 1, pp. 59-64.
		Horn et al., "Treatment of Stress Incontinence by a Fibrin Bioplast", <u>British Journal of Obstetrics and Gynecology</u> , January 1975, Vol. 82, pp. 61-63.
	+	Joyce et al., "Alteration in Pericardial Adhesion Formation Following Pretreatment with Fibrin Glue", <u>Journal of Applied Biomaterials</u> , 1991, Vol. 2, pp. 269-271.
		Lindenberg et al., "Studies on Prevention of Intra-Abdominal Adhesion Formation by Fibrin Sealant", Acta Chir Scand, 1985, Vol. 151, pp. 525-527.
	,	Linsky et al., "Adhesion Reduction in the Rabbit Uterine Horn Model Using an Absorbable Barrier, TC-7", <u>Journal of Reproductive Medicine</u> , January 1987, Vol. 32, No. 1, pp. 17-20.
		Maddox et al., "An Evaluation of the Bionite Hydrophilic Contact Lens for Use in a Drug Delivery System", Annals of Ophthalmology, September 1972, pp. 789-802.
		Marchac et al., "The Use of Sprayed Fibrin Glue for Face Lifts", European Journal of Plastic Surgery, 1987, Vol. 10, pp. 139-143.
		Montz et al., "Effectiveness of Two Barriers at Inhibiting Post-radical Pelvic Surgery Adhesions", Gynecologic Oncology, 1993, Vol. 48, pp. 247-251.
	•	Oka et al., "Effect of a Biologic Glue on the Leakage Rate of Experimental Rectal Anastomoses", The American Journal of Surgery, May 1982, Vol. 149, pp. 561-564.
		Redl et al., "In Vitro Properties of Mixtures of Fibrin Seal and Antibiotics", Biomaterials, January 1983, Vol. 4, pp. 29-32.
		Sasaki et al., "Stable Complex of Fibrionogen and Fibrin", Science, May 20, 1966, Vol. 152, pp. 1069-1071.
		Schier et al., "Dura Covered with Fibrin Glue Reduces Adhesions in Abdominal Wall Defects", European Journal of Pediatric Surgery, 1991, pp. 343-345.
		Sheppard et al., "Inhibition of Intra-abdominal Adhesions: Fibrin Glue in a Long Tenn Model", The American Surgeon, December 1993, Vol. 59, No. 12, pp. 786-790.

RECEIVED

(Use several sheets if necessary)

PTO Form 1449

OCT 2 8 2002

Atty Docket No. WM-267.00 Application No. 10/004,257

Applicant

Yves Delmotte

Filing Date

Group

10/26/2001

3763

Examiner's Initials		OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)
	•	Shimanuki et al., "Localized Prevention of Postsurgical Adhesion Formation and Reformation with Oxidized Regenerated Cellulose", <u>Journal of Biomedical Materials Research</u> , 1987, Vol. 21, pp. 173-185.
	•	Sierra, D., "Fibrin Sealant Adhesive Systems: A Review of Their Chemistry, Material Properties and Clinical Applications", <u>Journal of Biomaterials Applications</u> , April 1993, Vol. 7, pp. 309-352.
		Tarlov et al. "Plasma Clot Suture of Nerves", <u>Archives of Surgery</u> , pp. 44-58.
		The Surgical Membrane Study Group, "Prophylaxis of Pelvic Sidewall Adhesions With Gore- Tex Surgical Membrane, a Multicenter Clinical Investigation", Fertility and Sterility, April 1992, Vol. 57, No. 4, pp. 921-923.
		Thompson et al., "Reduced Human Peritoneal Plasminogen Activating Activity: Possible Mechanism of Adhesion Formation", <u>British Journal of Surgery</u> , April 1989, Vol. 76, No. 4, pp. 382-384.
		Tulandi, T., "Effects of Fibrin Sealant on Tubal Anastomosis and Adhesion Formation", Fertility and Sterility, July 1991, Vol. 56, No. 1, pp. 136-138.
		Urry et al., "Properties and Prevention of Adhesions Applications of Bioelastic Materials", Materials Research Society Symposium Proceedings, 1993, Vol. 292.

RECEIVED

OCT 2 9 2002

TECHNOLOGY CENTER R3700

RECEIVED OCT 3 1 2002

TECHNOLOGY CENTER R3700